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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,925	03/30/2001	Bradford H. Needham	PW 027 5024 P-10877	8278

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EXAMINER

AGGARWAL, YOGESH K

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/822,925	Applicant(s) NEEDHAM, BRADFORD H.	
	Examiner Yogesh K. Aggarwal	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-26 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-26 and 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/28/2005 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-6, 8-26, 28-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 4-6, 8-10, 12-17 and 19-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (US Patent # 6,507,371) in view of Chen et al. (US Patent # 6,809,749).

[Claims 1, 5 and 9]

Hashimoto et al. teaches a system for automatically linking a digital representation comprising an electronic capture device (figure 4a, camera 30) to capture the digital representation of a scene. Hashimoto further teaches that the camera can be freely carried to any place, and its position when recording an image is recorded together with image in detail (col. 4 lines 58-61)

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[It is noted that when the camera is carried to a plurality of places, there would inherently be plurality of information tag devices e.g. location information from radio waves output from a station at a predetermined position, satellite or ground station as stated in col. 4 lines 18-20 storing identification data for identifying a location of the scene].

Hashimoto teaches an image capturing device (figure 4a) with a GPS receiver to receive information from a GPS or from radio waves that output from a station at a predetermined position or ground station (col. 4 lines 18-20). Hashimoto further teaches that a home page or an internet website is accessed in accordance with the position information attached to the image information input by the camera (col. 4 lines 55-64). Fig. 10 shows home-page corresponding tables between the homepage address and the keyword of the area name (col. 6 line 65-col. 7 line 8)[read as a database to store annotation provider information for each of the information tag devices since the position information is obtained from a GPS or at a station at a predetermined location etc.]. Hashimoto also teaches a communication device (PC, figure 5a and 5b) that communicates with the database of figure 10 when the image 203 is continuously clicked, the name of the area 207 serves as a keyword and starts to access a home page corresponding to the keyword (col. 5 line 33-col. 6 line 7, figures 5a, 5b, 6a, 6b, 7a-7d). Finally linking from the URL on the Internet is started and an image is linked with a desired home page (col. 7 lines 20-27).

Hashimoto teaches a webpage associate with a particular location position but fails to teach if annotations provided in the webpage are used to annotate the images. However Chen et al. teaches a web server 10 connected to different web clients 310, 320 and 330 via the internet (figures 1 and 2). Suzuki further teaches FIG. 10 a method for conducting an interactive design conference over the Internet, including receiving and transmitting an annotation of the graphics

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file to clients. In 1001, the web server 10 is programmed to receive an annotation of the graphics file from any of the web clients 310, 320, 330, and in 1002, transmit the annotation to all participating clients 310, 320, 330 so as to be overlaid over the graphics image (col. 5 line 66-col. 6 line 10).

Therefore taking the combined teachings of Hashimoto and Chen, it would be obvious to one skilled in the art at the time of the invention to have been motivated to have annotations provided over the internet from a webpage and used to annotate the images in order for the user to easily annotate the images from a webpage running different platforms.

[Claim 2]

Hashimoto teaches that the information device is a computer (figure 5a).

[Claim 4]

The communication device like a PC (figure 5a and 5b) has a processing device (CPU 303) that is used to associate the captured images with a particular location identifying device (figure 4b).

[Claim 6]

Hashimoto et al. teaches a tag-reader (GPS unit 402, figure 4a) to receive the identification data from an information tag device and is located within the camera.

[Claim 8]

Hashimoto teaches a communication device (PC, figure 5a and 5b) that communicates with the database of figure 10 when the image 203 is continuously clicked, the name of the area 207 serves as a keyword and starts to access a home page corresponding to the keyword (col. 5 line 33-col. 6 line 7, figures 5a, 5b, 6a, 6b, 7a-7d). Finally linking from the URL on the Internet is started and an image is linked with a desired home page (col. 7 lines 20-27). Chen teaches

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receiving and transmitting an annotation of the graphics file to clients. In 1001, the web server 10 is programmed to receive an annotation of the graphics file from any of the web clients 310, 320, 330, and in 1002, transmit the annotation to all participating clients 310, 320, 330 so as to be overlaid over the graphics image annotating images (col. 5 line 66-col. 6 line 10).

[Claims 10, 12, 13, 15, 16]

These are method claims corresponding to apparatus claims 1, 4, 5, 8 and 9 respectively.

Therefore they have been analyzed and rejected based upon apparatus claims 1, 4, 5, 8 and 9.

[Claim 14]

Hashimoto teaches that the database (figure 10) shows home-page corresponding tables between the homepage address and the keyword of the area name (col. 6 line 65-col. 7 line 8) and shows the URL addresses.

[Claim 30]

Hashimoto teaches that the When it is difficult to obtain GPS information because the equipment is indoors or due to the influence of a building, the flow branches from step 103 to step 104.

Therefore, it is decided whether to use the previous GPS information, in accordance with (1) the time of the last GPS information in which the location information is not indeterminate, (2) a certain time previously set by the system or set by the user, and (3) the present time (step 104). When a certain time has passed after the previous GPS information obtaining time, the flow branches from step 104 to step 105 to set the location information indeterminate (step 105).

When a certain time does not pass after the previous GPS information obtaining time, the flow branches from step 105 to step 106 to set the previous location information (step 106). Then, the

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present time and the present location information are stored for the next photographing (step 110), image information and location information are recorded (step 111), and the flow terminates (step 112) (col. 3 lines 22-39).

[Claims 17, 19, 20, 21, 22, 23, 24]

See Examiner notes regarding rejections of claims 1, 4, 5, 6, and 9 respectively.

[Claim 25]

Hashimoto teaches that contents of each home page of the area is automatically accessed in accordance with an image. Therefore by accessing another URL in accordance with linked information set to each home page, it is possible to obtain every type of information (col. 6 lines 21-27). It would be obvious to one skilled in the art that to access a different page requires different selection by a user.

5. Claims 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Squilla et al. (US Patent # 6,396,537) in view of Hashimoto et al. (US Patent # 6,507,371).

[Claim 26]

Squilla et al. teaches a camera for automatically annotating digital images (col. 9 lines 4-7), comprising an electronic capture device (figure 2, CCD 44) to capture the digital representation of a scene (col. 4 lines 26-29), a tag-reader (40) to receive identification data from an information tag device (image spot 10, col. 4 line 54-col. 5 line 17), a memory (48) to store the digital representation and the identification data associated therewith (col. 5 lines 18-22), an I/O (74b) to transfer data between the memory and a communication device (image server 70).

Squilla fails to teach wherein the communication device transfers the identification data to a database, wherein a network address of an annotation provider associated

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with the information tag device is stored in the database. However Hashimoto teaches that a home page or an Internet website is accessed in accordance with the position information attached to the image information input by the camera (col. 4 lines 55-64). Hashimoto further teaches in Fig. 10 home-page corresponding tables between the homepage address (network address for an annotation provider) and the keyword of the area name (col. 6 line 65-col. 7 line 8)[read as a database to store annotation provider information for each of the information tag devices since the position information is obtained from a GPS or at a station at a predetermined location etc.]. Hashimoto also teaches a communication device (PC, figure 5a and 5b) that communicates with the database of figure 10 when the image 203 is continuously clicked, the name of the area 207 serves as a keyword and starts to access a home page corresponding to the keyword (col. 5 line 33-col. 6 line 7, figures 5a, 5b, 6a, 6b, 7a-7d). Finally linking from the URL on the Internet is started and an image is linked with a desired home page (col. 7 lines 20-27).

Therefore taking the combined teachings of Squilla and Hashimoto, it would be obvious to one skilled in the art at the time of the invention to have been motivated to have the communication device transfer the identification data to a database, wherein a network address of an annotation provider associated with the information tag device is stored in the database in order to quickly access a network in accordance with a recorded image as taught in Hashimoto (col. 1 lines 53-56).

[Claim 28]

Hashimoto teaches an Internet home-page address control program 309 (col. 5 lines 33-36) and linking from the URL on the Internet is started and an image is linked with a desired home page (col. 7 lines 20-27).

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6. Claims 3, 11 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (US Patent # 6,507,371), Chen et al. (US Patent # 6,809,749) and in further view of Anderson et al. (US Patent # 6,567,122).

[Claim 3]

Hashimoto in view of Chen does not teach whether the communication device (server 70) is part of the electronic camera. However Anderson teaches a camera 114 that includes the necessary computer resources to function has a website and host its own internal web server application 910 (col. 15 lines 12-16). Therefore taking the combined teachings of Hashimoto, Chen and Anderson, it would be obvious to one skilled in the art to have been motivated to have used a camera with its own web server as a web site (communication device) as taught in Anderson in order to that can be used to have an inexpensive way to have a remote access via the internet for digital cameras.

[Claim 11]

This is a method claim corresponding to apparatus claim 3. Therefore it has been analyzed and rejected based upon apparatus claim 3.

[Claim 18]

See claim 3.

7. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Squilla et al. (US Patent # 6,396,537), Hashimoto (US Patent # 6,507,371) and in further view of Anderson et al. (US Patent # 6,567,122).

[Claim 29]

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Squilla in view of Hashimoto does not teach whether the communication device is part of the electronic camera. However Anderson teaches a camera 114 that includes the necessary computer resources to function has a website and host its own internal web server application 910 (col. 15 lines 12-16). Therefore taking the combined teachings of Squilla, Hashimoto and Anderson, it would be obvious to one skilled in the art to have been motivated to have used a camera with its own web server as a web site (communication device) as taught in Anderson in order to that can be used to have an inexpensive way to have a remote access via the internet for digital cameras.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K. Aggarwal whose telephone number is (571) 272-7360. The examiner can normally be reached on M-F 9:00AM-5:30PM.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

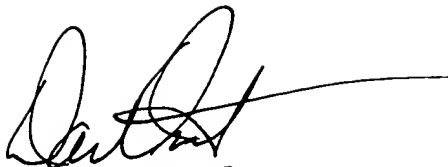
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YKA

January 22, 2006



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SUPERVISORY PATENT EXAMINER